



Attorney Pocket No.: 07246-030001

03 CD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Carl Ware  
Serial No. : 09/549,096  
Filed : April 12, 2000  
Title : LIGAND FOR HERPES SIMPLEX VIRUS ENTRY MEDIATOR AND METHODS OF USE

Art Unit : Unassigned  
Examiner : Unassigned

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 CFR §1.97 and §1.98**

Sir:

Enclosed for filing in the above-referenced patent application is a Form PTO-1449, being submitted prior to the first Office Action on the merits. Applicants respectfully request consideration of the remarks and references set forth herein. A copy of a communication from a foreign patent office in a counterpart application is also enclosed.

The following documents are enclosed herewith:

- copy Information Disclosure Statement with Form PTO-1449 from parent application
- copy of International Search Report dated September 30, 1998, in International application no. PCT/US98/13897
- Postcard

**REMARKS**

A copy of the Information Disclosure Statement (IDS) submitted for the parent application U.S. Serial Number 08/898,234, on **October 8, 1998**, is also enclosed.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 30, 2000

Date of Deposit

Signature

Marian Christopher

Typed or Printed Name of Person Signing Certificate

A copy of this statement is being submitted because Applicants wish the information to appear among the "references cited" on any patent to issue therefrom (MPEP §609). In accordance with 37 CFR §1.97(d), copies of the references cited in the parent application are not included in this submission (MPEP §609A(2)); however, for the Examiner's convenience, if requested, Applicants will be pleased to provide a copy of any or all of the references cited therein.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. If necessary, please deduct any necessary additional fees from, or credit any overpayment to, the above-noted Deposit Account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 678 5070.

Respectfully submitted,

Date:

Oct. 30, 2000 

Gregory P. Einhorn  
Reg. No. 38,440

Fish & Richardson P.C.  
4350 La Jolla Village Drive, Suite 500  
San Diego, CA 92122  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

D.C. 202331.

Jucille M. Bogala  
Lucille M. Bogala